

and left her mark in making it a better place to live.

On behalf of Second District families and a grateful Congress, thank you, Mimi, for a job well done.

**PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5303, WATER RESOURCES DEVELOPMENT ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 6094, REGULATORY RELIEF FOR SMALL BUSINESSES, SCHOOLS, AND NONPROFITS ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 29, 2016, THROUGH NOVEMBER 11, 2016**

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 897 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 897

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes. No further amendment to the amendment in the nature of a substitute referred to in the first section of House Resolution 892 shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment pursuant to this resolution the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6094) to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the

chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 3. On any legislative day during the period from September 29, 2016, through November 11, 2016—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 7. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOODALL. Mr. Speaker, I told you yesterday that I would be back down here today with part 2 of the Water Resources Development Act bill.

This structured rule in House Resolution 897 provides for further consideration of H.R. 5303. This rule today will make an additional 19 amendments in order. As you will recall, Mr. Speaker, yesterday we gathered here and passed a rule that made 25 amendments in order to this legislation. To put that in perspective, this was a bill that passed unanimously out of the Transportation and Infrastructure Committee, on which I serve; and the Rules Committee gathered, and in its wisdom has now made 44 additional adjustments and improvements in order that have been recommended by Members of this Chamber.

This rule also provides, Mr. Speaker, for closed consideration of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. That is a bill that requires a 6-month delay in the effective date of the Department of Labor's new overtime

rules. It moves the current effective date of December 1, 2016, out to June 1, 2017.

Mr. Speaker, I know you have heard about this issue from your constituents, as every Member in this Chamber has. The Department of Labor, in its wisdom, sought to raise the maximum wage at which overtime rules would apply, and effectively doubled that wage rate. That is all going to go into effect on December 1.

Mr. Speaker, I don't believe there is a single Member of this Chamber that doesn't believe those numbers should be adjusted, but to double them overnight with virtually no warning to the small business community, the education community, or the nonprofit community is not the right way to govern. This is going to impact not just the hardworking Americans who run these institutions, it is going to impact the hardworking Americans who are dependent on these jobs and are currently doing the heavy lifting that feeds the Nation's economic engine.

Delaying this rule for 6 months to give us an opportunity to either come together as a body and make changes or to allow small businesses and nonprofits and educational institutions to begin to adjust is just the right thing to do. You will hear more about that, Mr. Speaker, from one of my colleagues on the Rules Committee, the gentlewoman from North Carolina (Ms. FOXX), who doesn't just serve on the Rules Committee, she also serves on the Education and the Workforce Committee that has jurisdiction.

Mr. Speaker, again, if we pass this rule, we will have an opportunity to not just complete work on the WRDA bill with the 19 additional amendments, but also to move forward to protect small businesses, educational institutions, and nonprofits.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. WOODALL) for yielding me the customary 30 minutes.

Mr. Speaker, last night in the Rules Committee, after a year of Democratic calls to address the terrible water crisis in Flint, Michigan, House Republicans finally moved forward an amendment offered by my friend and colleague, the gentleman from Michigan (Mr. KILDEE), to provide assistance to the families of Flint.

It was a year ago this month that we learned of the man-made drinking water crisis in Flint, which exposed thousands of our fellow Americans to contaminated water. These are real people, Mr. Speaker. Families with children—9,000 children under the age of 6—that have been drinking and bathing in poisonous water for over 2½ years. And even today, these families still do not have access to clean water from their taps.

The fact that it has taken a year for Congress to stand up and do the right thing, to finally allow us to have a vote for the families of Flint, is astonishing. America is supposed to be a place where we look out for one another and lift our neighbors up when they are in need. Those are the values that define our country. As the people's representatives here in Congress, we need to honor those values. Whenever an American community is hit by a disaster, we come together. This should include not just hurricanes and earthquakes, but also man-made disasters, like the one that Flint continues to face today.

I thank the leadership, especially our leadership, our Leader PELOSI, and the persistence of my friend, the gentleman from Michigan (Mr. KILDEE). I am pleased that we are finally set to consider a measure to authorize the \$170 million for the repair and replacement of infrastructure in Flint. I hope that all of my colleagues on both sides of the aisle will enthusiastically support Mr. KILDEE.

But this is just a first step, Mr. Speaker. While the amendment we are set to consider today, if adopted, authorizes these funds, it is important that we come together to ensure that the much-needed funding actually reaches Flint as soon as possible.

The Senate's Water Resources Development Act, which passed that Chamber earlier this month by an overwhelming vote of 95-3, includes \$220 million in relief for Flint. As we advance our water bill this week and set up a conference on the two measures, it is imperative that we keep funding for Flint a top priority.

So while I am pleased that we were able to reach a bipartisan agreement on a vote for Flint, I am disappointed, however, that the House Republican leadership is still advancing a terrible, misguided bill this week to, once again, undermine regulations put forward by the administration to help working families.

With all of the work left to be done on the most pressing issues facing our communities, I cannot, for the life of me, understand why my friends on the other side of the aisle are so intent on denying long overdue compensation to millions of their constituents in payment for their hard work and long hours.

This rule provides for the consideration of H.R. 6094, legislation designed to delay the Department of Labor's new overtime rule, which increases the overtime salary threshold from \$23,660 a year to \$47,476 a year. With the Department of Labor's update to the Fair Labor Standards Act, an additional 4.2 million salaried workers are eligible for overtime pay, and 262,000 working people in my home State of Massachusetts will benefit.

American workers have waited long enough to get their fair day's pay for a long day's work that they deserve. This Republican bill will take \$600 million out of the pockets of 4.2 million Amer-

ican workers who would have gained overtime protections on December 1. This is \$600 million that they will never see if we delay these important updates for another 6 months. That means, for example, the workers will have less money to spend on holiday presents for their families and less time to help their kids with their schoolwork and extracurricular activities.

The simple truth is that this Republican bill is a cynical ploy to, once again, try to stop the rule from ever, ever going into effect. My Republican friends like to lecture families in poverty about what they are doing wrong. We hear it all the time on this floor. They tell them that they need to work harder to get ahead. These families are already working hard, very often working overtime, but they are not receiving the pay that they deserve for putting in the extra time.

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Republicans like to say that they think hard work should be rewarded. This is it. This overtime protection is a way for us to reward the hard work of millions of Americans who are doing all of the right things. This is a way for us to ensure that every American who puts in a hard day's work is able to earn the fair pay that he deserves. Only in this place would that be considered a radical idea.

How can Members of Congress lecture millions of hardworking American families who are struggling to escape poverty when they won't even support a measure that rewards them for the hard work that they are putting in every day to help their own families get ahead?

Speaker RYAN has a lot to say about fixing poverty—rolling out a whole agenda to convince us that, somehow, he is serious about making progress in helping families. So why on Earth would Speaker RYAN and the House Republicans stand in the way of hardworking families receiving the fair pay that they deserve? That doesn't sound like a party that truly cares about helping every family succeed.

America's working families are the ones who lay the foundation that makes our economy strong. It is simply shameful that denying hardworking families the overtime protections they deserve is something that Republicans think should be a top priority of this Congress—so pressing, in fact, that the House Republicans considered this bill in the Rules Committee as an "emergency measure."

I urge my colleagues on both sides of the aisle to do the right thing and defeat this bill. It is an antiworker, antifamily bill, and it would only make it harder for America's hardworking families to get ahead. Our economy only works when hard work is rewarded, and it is time for Congress to stand up for those values and to support working families.

It is time for us to do our jobs, Mr. Speaker. We need to be providing funds

to fight the terrible Zika virus and the opioid crisis. We should be addressing the gun violence that is plaguing our communities. We ought to be finalizing a continuing resolution to ensure that our government remains open come Saturday, and I hope that the Senate will vote on that soon so that we can consider it.

We need to get much-needed assistance to the families of Flint. Again, I think it is a stain on this Congress' reputation that this leadership has dragged its feet for so long on this issue of providing funds to the residents of Flint. This is the United States of America. People ought to know, when they get water out of their faucets, that they are not poisoning themselves or their kids. These are emergencies, Mr. Speaker, and not what this bill is all about that my friends are bringing to the floor.

What they are trying to do is to actually score some points with some in the business community who don't want to reward the work of the people who work in their companies, and I think that that is unfortunate. We ought to stand up for working families. They are the ones who need help. What this bill would do is make that less likely.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentlewoman from North Carolina (Ms. FOXX), the vice chair of the Rules Committee and a member of the Education and the Workforce Committee.

Ms. FOXX. I thank my colleague from Georgia for his leadership on this rule.

Mr. Speaker, all too often, the executive branch enacts policies that sound wonderful but impose unintended consequences and burdens that make the lives of hardworking Americans more difficult. The issue underlying H.R. 6094 is another tragic example of that pattern.

The Department of Labor acted in May to revise overtime regulations covering millions of American workers. This regulation will require companies to reclassify a significant portion of their workforce, eliminating flexibility in work times, bonus compensation, and opportunities to advance. It will also impose significant compliance costs that will only serve to further bury job creators under red tape.

While members of both political parties want to see all Americans earn more, we cannot ignore the financial consequences of this rule. By dramatically increasing the number of employees who do not qualify for an exemption under the regulation, the Department is significantly increasing the cost of delivering services and is making it more difficult to maintain existing staffing levels.

In plain English, this regulation could cost hardworking Americans hours at work or even their jobs. Entire sectors could be less profitable with a predictable result for the employees who are doing that work. These

impacts do not fall solely on frequently and unfairly demonized big business. They affect nonprofits and schools as well as local and State governments. This will raise the cost of operation for nearly every organization and company in the country.

I have heard from small-business owners, nonprofits, and universities across North Carolina that are deeply concerned about this rule. For example, an independent supermarket owner said that this rule would “effectively put him out of business. Most of our managers make less than \$40,000 a year. When you make only one penny on the dollar net profits, this would force us to raise prices and make us uncompetitive against Walmart and other national chains.”

For many employees, the biggest impact this legislation will have on them is the loss of prized flexibility and advancement opportunities. No longer will they be able to work flexible hours to cover children's doctors' appointments or other family needs. They will be forced to clock in and out, lose aspects of their positions that provide positive morale, and be reclassified into positions that do not provide the same satisfaction.

It is fair to say that our Nation's overtime rules need to be modernized, but the Department of Labor's extreme and partisan approach will lead to damaging consequences that the American people simply cannot afford. That is why I cosponsored H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act, which would provide a 6-month delay in the implementation of this rule in order to allow the small businesses, nonprofit organizations, State and local governments, and corporations confronting it with desperately needed time to prepare and make changes to accommodate the needs of their employees.

The rule before us today will provide for the consideration of this important legislation, and I commend both of them to my colleagues for their support.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I would like to point out for my colleagues that, while many of my colleagues who support this legislation argue that the new overtime rule would overburden nonprofits or educational institutions, I think we need to point out a few facts here—most importantly, that that is just not the case. The overtime rule provides exemptions for nonprofit charitable organizations without sizable commercial activities. The overtime rule also provides educational institutions exemptions for teachers, coaches, graduate and undergraduate students, and administrative personnel.

I just want to repeat one thing that I said in my opening. I am really amazed when my Republican colleagues routinely come to the floor and lecture poor people and people who are struggling in poverty. They regularly

come to the floor and demonize people in this country who are on benefits, like SNAP—putting food on the table. You always hear, “You ought to work.” “You ought to work harder.” Of the people on SNAP, for example, who are able to work, the majority of them work, but work doesn't pay enough to get them out of poverty. All that is being suggested by this rule from the Department of Labor is that people ought to get paid what they deserve. They ought to be able to earn enough to be able to have a decent life and to get out of poverty.

I know what my friends are trying to do. They are saying it is only a 6-month delay. They are hoping that their candidate for President—God forbid—would win the Presidency and would, basically, null and void any modernization of the overtime rules. We ought to be concerned more about people in this country who are working hard and who are not able to make ends meet. I think my colleagues ought to know there are exemptions in this rule.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, Americans have waited long enough to update our Nation's overtime pay rules. After years of debate and regulatory review, proposed rules and final rules, it is time to ensure that Americans are paid for the hours they work.

When I go home to my district, I hear how hard it is for working women and men to meet their families' basic needs. Americans need a raise. The Republican majority has blocked any vote to raise the minimum wage, and they have blocked bills to provide women with equal pay for equal work. Did you know that working single mothers are paid about 57 cents on the dollar that men are paid right now? Today's bill will take \$600 million in earned overtime pay from 4.2 million working men and women. Half a century ago, 60 percent of salaried employees qualified for overtime pay; today, only 7 percent do. This is because we did not update overtime rules until this administration stepped forward.

We have heard the arguments for inaction and delay—that it is too hard for businesses, the false argument about nonprofits; “this is happening too fast” is another argument. They don't hold up. It has been 12 years since the overtime rule was changed, nearly 3 years since President Obama asked for action, and more than a year since the proposed rule was issued. The Department of Labor reviewed more than 270,000 comments, and it changed its proposal as a result of those comments. It has provided flexibility for businesses, and it has lowered the salary threshold. The Department of Labor has been responsive to concerns, and now it is time for the House of Representatives to be responsive to the

concerns and the needs of working families.

In my home State of Illinois, nearly 194,000 working men and women and their families would be helped by overtime protections. They shouldn't have to wait any longer. Extra work should mean extra pay. It is a simple matter of fairness. Workers who are hired full time should not be paid the same salary whether they work 40 hours a week or 60 hours a week. They should either be paid for the hours they work or be able to spend those extra hours with their families.

Many Americans are balancing their jobs with caring for children and aging parents. Delaying the Department of Labor's update to overtime protections is unfair to those workers and their families.

It is really time now to get on with it, to move forward. I urge my colleagues to reject today's rule and vote against this bill. Let these long-overdue overtime rules—overtime pay—for Americans take effect.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentleman from the great State of Washington (Mr. NEWHOUSE), a member of the Rules Committee.

Mr. NEWHOUSE. I thank the gentleman from Georgia for yielding.

Mr. Speaker, I would like to add my voice today in support of this rule and the underlying legislation, H.R. 6094, which is the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act.

In recent months, I have heard—and, I am sure, the Speaker has as well—from a growing number of constituents who are gravely concerned about the impact that the Department of Labor's new one-size-fits-all overtime rule would have on their jobs, would have on their businesses, as well as would have on nonprofit organizations.

When the rule goes into effect on December 1, it will impose enormous new costs on businesses, lifting the cap of workers who are eligible for overtime pay from \$23,600 to \$47,476. I admit, on its face, this sounds like a real benefit for workers; however, the impacts, likely, will be devastating. Small businesses and nonprofits that are confronted with this new burden will be faced with some very difficult choices: having to pay thousands of dollars in additional labor costs, they end up having to limit their employees' hours; moving salaried workers to hourly positions; or, even worse, laying off workers.

□ 1300

Worse than that, the Department of Labor has made no attempt to make this rule workable for small business. There is no phase-in. On December 1, it will hit every business, every school, and every nonprofit in America full force, just like a freight train.

The rule was not curtailed to geography either. It will take effect in the Seattle metropolitan area, where the

annual mean wage is around \$61,000, the same way it will impact the Yakima area, where that annual mean wage is just over \$41,000.

The way the Department of Labor went about issuing this very flawed one-size-fits-all rule just isn't right. H.R. 6094—which I was proud to cosponsor, and I thank Congressman WALBERG for introducing—would simply delay the rule for 6 months so that we can work with the Department of Labor as well as stakeholders to address this issue in a responsible, workable way.

Sadly, to not adopt this delay will result in job losses for the very people the rule was intended to help: your constituents and mine.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

Let me just make a comment for the benefit of my colleagues before I yield to the next speaker, and that is about this rule.

This is a closed rule. Again, this is another pattern that my Republican friends seem to have developed since they have taken over the House; and that is, basically shutting down debate and shutting down the opportunity for Members to have an opportunity to express themselves.

This bill was noticed in the Rules Committee, I think on Monday, and we did the rule yesterday. Members didn't even know this was coming up. So to bring a bill like this to the floor under a closed process I think is unfortunate. It denies Members on both sides of the aisle an opportunity to offer different points of view and to have a vigorous debate.

Many of us believe that this Congress ought to do more to help strengthen opportunities and benefits for those in the middle class. We believe that more people ought to have the opportunity to get into the middle class. That is why we are fighting for a livable wage, yet we can't even bring that to the floor. The only things that seem to get to the floor are tax breaks for big businesses or repeals of the Affordable Care Act or bills like this that would basically take the pay that has been earned by workers away from them.

Again, I think this kind of illustrates where the priorities of this Republican Congress really are. I mean, they are not with working people. They are with those who are privileged and those at the very top. And my hope is that maybe after this election, we can get some changes made where we can get back to doing the people's business, not just the rich people's business.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Speaker, today I rise with deep disappointment that the Rules Committee didn't make in order any of my amendments to improve the management and health of the Apalachicola, Chattahoochee, and Flint Rivers.

Floridians are incredibly frustrated that the Apalachicola River is dying

because of mismanagement and over-use upstream. Just this year, it was named one of the country's most endangered rivers.

Two years ago, in a rare show of collaboration and bipartisanship on this very issue, Members from Alabama, Georgia, and Florida, agreed to language that actually acknowledged the mismanagement and encouraged the States to stop the arguing and work together to find a solution. What a novel concept, but even that tiny compromise is being stricken in this bill. We have an egregious problem that my amendment would have fixed, and this Congress won't even allow it to be discussed.

I am well aware that other States involved in this issue have a lot at stake. It is infuriating that other States won't recognize what is at risk in Florida. There are people all over the country, even some of you in this Congress, who spend time in the region and enjoy the Apalachicola's beauty and resources. It is shameful and shortsighted that we are letting it die because of politics and dysfunction in this House.

Mr. WOODALL. Mr. Speaker, I would tell my friend from Massachusetts that I do not have any further speakers remaining, and I am prepared to close when he is.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I ask my colleagues to vote "no" on the previous question; and if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would allow those with outstanding student debt to refinance their existing high interest rate loans to lower interest rates. Mr. Speaker, this legislation gives us an opportunity to provide immediate relief to those struggling with student loan debt.

You know, when interest rates go down, people can refinance their home mortgages. Why can't we extend that same ability to people with high student loan rates?

Everybody says that we want to make sure that everybody who wants a college education ought to be able to get one, yet we make it very difficult for people to be able to afford one. The debt that is accumulated—and especially the interest on that debt that is accumulated—is very, very difficult for people to absorb when they get out of school.

So that is why Democrats have been asking time and time again for us to address issues like that, college affordability. How do we ease the burden on our young people who are trying to get a college education?

So rather than bringing up legislation that basically will not increase the overtime salary threshold, thereby denying people who are working the ability to have a little bit of extra cash in their pockets when they work overtime—that is what this is all about,

and we are actually punishing working people—maybe we ought to do something to actually help working families.

If you vote "no" on the previous question, we will be able to have a debate and a vote on this. I hope that not just Democrats, but Republicans as well will see that it is important for us to address this issue of college affordability. I, again, urge my colleagues to vote "no" on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. MARCHANT). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I urge Members to vote "no" on the previous question.

I yield back the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I was just with a group for lunch, and I was talking about all of the amazing things that we are able to do in here together. It really is amazing. I think back on what has become known as the Bush tax cuts.

You may remember, Mr. Speaker, we had President Bush; he had a Republican Senate; he had a Republican House; and he was trying to provide tax relief for the American people. But because of the way the rules work around here and it takes a lot of votes to get work done, he was not able to make that tax policy permanent. He didn't have enough votes. Republicans were running the entire show, but he couldn't get enough agreement on tax relief for Americans to make that tax policy permanent.

You, me, Mr. MCGOVERN, and President Obama, we got together and we made that tax policy permanent for 99 percent of Americans. We did together what Republicans couldn't do alone.

My friends from the other side of the aisle often talk about infrastructure and how important it is to America, and they are right every single time they do it, Mr. Speaker. But when they passed a trillion-dollar stimulus bill that I opposed with every fiber of my being, we didn't see infrastructure grow in this country; we saw dollars get squandered. They controlled the White House, the U.S. House, the U.S. Senate. They controlled every single branch of government, and they were not able to succeed at creating the kind of infrastructure improvements that every American knows that we need.

But you know who did, Mr. Speaker?

You, me, Mr. MCGOVERN with President Obama in this divided Congress and divided government, we got together and passed the longest surface transportation funding bill this country has seen since the 1990s. We did that together. I could go down the list:

education, water resources, taxes, regulation. The list goes on and on and on of things, when we sat down and when we talked to one another, we were able to get passed.

You may remember, Mr. Speaker, we were down here yesterday on the House floor. We were talking about the situation in Flint. We were talking about amendments that were not made in order. And word came down that the only reason they weren't made in order is because we are just a bunch of racists here in the House of Representatives. The only reason that they weren't made in order was because Republicans have no conscience, is what we heard from the other side of the aisle.

I will ask anyone in this Chamber: Who thinks that gets us closer to a solution? Who thinks it does?

It pushes us further apart not just as an institution here, but as a Nation of citizens who care about one another.

So what happened after that, Mr. Speaker?

We went back to the drawing board together. We worked together, and we are back here today together with an amendment to address the situation in Flint.

How?

Not with a nongermane amendment, as it was yesterday. Not with an amendment that tries to deal with another committee's jurisdiction, as it did yesterday. But with an amendment that is squarely within the jurisdiction of the Transportation and Infrastructure Committee on which I serve and from which this bill comes today.

I know it is an election year, and I know that as much as constituents say they don't like negative ads, they show up and vote based on them every single time. So I know that it would be easy for my colleagues to conclude that the best thing to do running up to an election is to come down here to the House floor and denigrate absolutely everyone who doesn't agree with them. It is not that we have policy disagreements, Mr. Speaker; it is that you must be a scoundrel, they would say. It is not that we have policy disagreements; it is that you must not have a conscience, they will say. It is not that we have policy disagreements; it is that you don't care.

It makes me sad because, as I said yesterday, Mr. Speaker, I know the Members of this body on a personal level, and I know every single one of them cares. We are down here today doing something that matters, and I don't know why folks aren't taking a victory lap for our successes together. I don't know why they want to continue to tear at the fabric that makes this Nation great. Caring about each other is what we do. It is a legitimate disagreement about how to care.

My friend from Massachusetts (Mr. McGOVERN) just talked about student loans. I have this conversation with every single high school class I visit with, Mr. Speaker: How do we love you

best from Washington, D.C.? Do we give you all the money you can possibly borrow so you can go anywhere in the country you want to go to get that bachelor's degree with which you may not be able to find a job and you now have a mortgage-sized debt? Or do we not lend you that money? Do we create work-study programs? Do we create co-op programs? Do we put you to work in contact with employers so that when you leave school, you have no debt and real skills and real experience?

It is a fair disagreement. Some folks may think you love people more by giving them all the free money they can handle and the mortgage debt that goes with it. Other folks think you love folks by giving them real-world experience, real-world skills, and a real employer to talk to.

I don't think that you hate children if you make that wrong decision. I think that we are having a discussion about how to love on those children.

Mr. Speaker, what we are down here doing today is not about stepping on low-income Americans. We could have a better debate about this issue if that wasn't what folks would come down and perpetuate. It is undeniable—and every single Member of this institution has seen it back home. It is undeniable that real working families are showing up on our doorstep, saying: Congressman, there is a problem; I need you to fix it.

The administration just moved forward and doubled—doubled—the wage for which you now qualify for overtime. Now, in my part of the world—we are not New York City; we are not Los Angeles, California; we are not San Francisco. \$45,000 a year in my part of the world is what a manager makes. It is what a manager is going to make—a manager.

What the Department of Labor has said is: You know what? Overtime—which is what is paid to workers, not management. Salary is paid to management; hourly pay to workers. What the Department of Labor has said is: You know what? We are going to have a one-size-fits-all solution because, clearly, people living in small town Georgia should be regulated by the same rules as people living in downtown New York City. Surely, if we are going to fight poverty, what works in downtown New York City is the exact same thing we are going to need in small town Georgia.

□ 1315

Mr. Speaker, you know that is nonsense. It is not true in your area; it is not true in my friend from Massachusetts' area; and it is certainly not true in my hometown.

My friends will come to the floor and tell you it is because Republicans just don't like working people. This bill exempts three categories of people and three categories only: educational institutions, small businesses, and non-profits.

The Boys & Girls Clubs of America are headquartered in Atlanta, Georgia.

They wrote to the Department of Labor when the Department of Labor released this regulation. They said they opposed it. They said the regulation in its current form was going to undermine their ability to serve young people. They are not alone.

Mr. Speaker, those concerns are real, and if my friends on the other side of the aisle would sit down and talk to us about them, I know that they care about these issues like I care about these issues. We can all work to change what that limit is, but we don't have to throw families out of jobs. As a result, we don't have to punish small-business owners trying to make it work. As a result, we don't have to punish non-profits who have one goal and one goal only, and that is to make a difference in people's lives. As a result, I don't believe, when I disagree with my colleagues on the House floor, it is because they are bad people. I think they are good people with bad ideas.

If we can sit and talk together, a group of good people around the table with differing ideas, I know that we can come to a conclusion, which is what we have done with the second bill in this rule, Mr. Speaker, the WRDA bill.

My friend from Massachusetts mentioned a terrible habit of closed rules. There were 44 amendments made available to this bill, Mr. Speaker—44. That is a bill that passed unanimously with unlimited debate and unlimited amendments coming out of committee. We made 44 more amendments in order on this House floor.

I am constantly amazed at the improvements that come from right here, colleagues who may not be on the committee who don't have an opportunity to make a difference. They bring an amendment to the Committee on Rules, we come together and we make it in order. We bring it to the House floor. It makes a difference.

Mr. Speaker, the WRDA bill is going to affect something in every single district we have in this Chamber—every single district—whether it is direct, as it will be in the Port of Savannah or the Port of Charleston; whether it is indirect, as it will be for all the inland ports in the country; whether it is indirect because of all the job growth that happens around the country as a result. Ninety-nine percent of all of the imports and exports coming through this country, moving through our ports system, we did that together.

I sat through those long committee hearings, Mr. Speaker. I don't remember anyone being called a scoundrel. I don't remember anyone being accused of not having a conscience. I don't remember anyone being called a racist. And I distinctly remember the bill coming out of committee on a voice vote, unanimous support.

Mr. Speaker, the American people will believe us if we tell them how incapable we are; the American people will believe us if we tell them how broken self-government is; and the American people will believe us if we tell

them that nobody else has anything to bring to the table except their Member of Congress. But those things will not be true.

We are not just moving a bill to protect nonprofits and educational institutions and small business, Mr. Speaker. We are not just moving a bill that is going to do more to protect inland waterways and the economy than what we have seen in previous years, Mr. Speaker; we put together a package that I believe is going to start the logs rolling for all of the other priorities that we have in this Chamber. But we can't get to them unless we pass this rule.

This rule came out of the Committee on Rules last night about 11:30, Mr. Speaker. The Committee on Rules was working late on your behalf last night. They say nothing good happens after midnight. That is why we finished up at 11:30. We have got a good rule for you. It is worthy of the support of this Chamber.

I ask all of my friends to support the rule, to support the underlying legislation, and to allow us to continue to be about the business of the American people.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 897 OFFERED BY  
MR. MCGOVERN

At the end of the resolution, add the following new sections:

SEC. 7. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1434) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1434.

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to

offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. WOODALL. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

#### PFC JAMES DUNN VA CLINIC

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3283) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3283

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION OF PFC JAMES DUNN VA CLINIC IN PUEBLO, COLORADO.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, shall after the date of the enactment of this Act be known and designated as the "PFC James Dunn VA Clinic".

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be considered to be a reference to the PFC James Dunn VA Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from California (Ms. BROWNLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

#### GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LAMBORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of S. 3283 to name the Department of Veterans Affairs community-based outpatient clinic in Pueblo, Colorado, the PFC James Dunn VA Clinic.

I am grateful to this bill's sponsor, Senator CORY GARDNER, for his efforts introducing this legislation. I am also grateful to my colleague and friend, the gentleman from Colorado (Mr. TIPPON), for his work championing this